

Trial Instructions Page 1 of 1
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Case No.: _____

Adv. No.: _____

The pre-trial conference in this matter has been scheduled for:

Date: _____

Time: _____

Courtroom: _____

Address: _____

**PLAINTIFF SHALL SERVE ALL PARTIES WITH A COPY OF THESE INSTRUCTIONS
AND THE PROPOSED *JOINT ORDER SCHEDULING PRETRIAL PROCEEDINGS AND TRIAL WHEN
SERVING THE SUMMONS AND COMPLAINT.***

All parties are directed to exchange initial discovery under Fed. R. Civ. Proc. 26(a) within 14 days of the date the answer is filed.

Parties are to submit a Joint Proposed Scheduling Order in the attached form, establishing a discovery and pre trial motion schedule, and an estimated length of trial. If the parties agree to pursue mediation to resolve disputed matters, a separate mediation order selecting a mediator and providing for a mediation schedule shall be submitted within 14 days of the submission of the scheduling order. The court will fix a trial date and enter the scheduling order **without the necessity of an appearance.**

If the Joint Proposed Scheduling Order is not filed, each party must file a pre-trial memorandum with the court and serve a copy on every party 14 days prior to the scheduled pre-trial date. The pre-trial memorandum must include the following numbered items:

1. A concise statement of the nature of the action, including the statutory basis for the relief sought.
2. A report on the status of discovery conducted to date and a description of the type and extent of the discovery anticipated.
3. A list of the factual issues to be determined at trial.
4. A list of the legal issues to be determined at trial.
5. An itemized statement of damages sought.
6. A statement why a Joint Proposed Scheduling Order was not submitted.
7. An estimated date for trial readiness.
8. An estimated length for trial.
9. A witness list.
10. Any other information of which the court should be aware prior to scheduling the matter for trial.

Pre-trial Conferences, if necessary, are conducted in the courtroom, on the record, and are not conducted by telephone. Failure to appear will result in pleadings being stricken.

**THE PLAINTIFF'S FAILURE TO TIMELY FILE A REQUEST TO ENTER DEFAULT, IF AN
ANSWER HAS NOT BEEN FILED, MAY RESULT IN DISMISSAL FOR LACK OF
PROSECUTION AT THE PRE TRIAL CONFERENCE.**